



MASTER FILE
DEPARTMENT OF THE NAVY

NAVAL AMPHIBIOUS BASE LITTLE CREEK
2600 TARAWA COURT SUITE 100
NORFOLK, VIRGINIA 23521-3297

IN REPLY REFER TO:

NAVPHIBASELCREEKINST 8370.1G
N03LC
27 May 99

NAVPHIBASELCREEK INSTRUCTION 8370.1G

Subj: PRIVATELY-OWNED FIREARMS ON NAVAL AMPHIBIOUS BASE
LITTLE CREEK

Ref: (a) U.S. Navy Regulations, 1990
(b) OPNAVINST 5530.14 (Series)

Encl: (1) Safety Guidelines
(2) NAVPHIBASE LCREEK Firearms Declaration Registration
Form
(3) Qualification to Possess Firearms or Ammunition
Privacy Act Statement (DD Form 2760, Oct 97)

1. Purpose. To provide policy and guidelines concerning the transportation and storage of privately-owned firearms on Naval Amphibious Base Little Creek (NAVPHIBASE LCREEK) and all family housing areas within its jurisdiction. Changes to this instruction constitute a major revision; therefore, additions, deletions, or changes are not individually marked.

2. Cancellation. NAVPHIBASELCREEKINST 8370.1F is hereby cancelled and superceded.

3. Background. Reference (a) requires that proper authority be obtained before any dangerous weapon is transported or stored on any Naval installation. Express approval of the NAVPHIBASE LCREEK Security Officer is required for civilian or military members to store or transport privately owned firearms on NAVPHIBASE LCREEK. As a prerequisite to authorization, Safety Guidelines (enclosure (1)) must be read and signed by all personnel requesting firearm registration. Prior to the introduction of any firearm into NAVPHIBASE LCREEK, authorization must be requested by the individual, using the Firearms Declaration Registration Form (enclosure (2)). The Security Officer shall control the transport or storage of personal firearms on NAVPHIBASE LCREEK as the Commanding Officer may direct. The Security Officer shall be responsible for the authorization to transport or store personal firearms within the limits of NAVPHIBASE LCREEK, including all family housing within its jurisdiction. The Storefront Officer in Charge, Atlantic Ordnance Command, Detachment Sewells Point, shall have final approval authority over requests to store any personal firearms in the Consolidated Base Armory.

4. Action. Military personnel desiring to transport or store personal firearms on NAVPHIBASE LCREEK may be authorized under the following restrictions:

MASTER FILE

NAVPHIBASELCREEKINST 8370.1G

a. Written authorization must be obtained from the NAVPHIBASE LCREEK Security Officer prior to the introduction of a firearm into NAVPHIBASE LCREEK or any family housing areas.

b. Firearms will be transported only within the designated limits specified and , if authorized, only to authorized small arms ranges or training areas within NAVPHIBASE LCREEK.

c. Firearms will not be removed from the transporting vehicle except for use at an authorized area or for storage at the Consolidated Base Armory or ship/tenant command's armory.

d. Personnel will have in their possession a valid authorization (enclosure (2)) for the specified firearm(s) when:

(1) Transporting the firearm within the limits of NAVPHIBASE LCREEK or its family housing areas.

(2) Storing the firearm within the limits of NAVPHIBASE LCREEK or its family housing areas.

e. All firearms transported into NAVPHIBASE LCREEK or its family housing areas will be unloaded and must comply with all Federal and Virginia State laws regulating the transportation of firearms.

f. Firearms safety precautions will be followed at all times when firearms are handled. Enclosure (2) is issued for the convenience of service members living within NAVPHIBASE LCREEK's family housing areas or those personnel authorized to transport/store firearms in a tenant command armory. This is not a permit to carry or possess firearms outside the confines of NAVPHIBASE LCREEK or its family housing areas.

6. Authorization. Written authorization will be issued by the NAVPHIBASE LCREEK Security Officer, Monday through Friday, between the hours of 0800-1600. The service member will sign one copy of enclosure (1) and complete one copy of enclosures (2) and (3). If the firearm is to be stored onboard a tenant command's armory, the service member must obtain the Executive or Commanding Officer's approval and submit the completed form to the NAVPHIBASE LCREEK Security Officer (building 3015) for final approval. If the firearm is to be stored within the confines of NAVPHIBASE LCREEK's housing, a Housing Office representative must sign the form prior to submission for approval by the Security Officer. Enclosures (1) and (3) must be read and signed by all personnel requesting firearms registration. The NAVPHIBASE LCREEK Security Officer has the authority to approve or disapprove any requests, or to revoke any authorization if the service member violates any restriction or safety precautions of this instruction. Registrant must present proof of ownership in

NAVPHIBASELCREEKINST 8370.1G
27 May 99

accordance with reference (b). Privately owned ammunition will not be stored in the base armory.

7. Exclusion. This instruction does not apply to federal, state, county, or city law enforcement officers. Virginia conservators of the peace, or certified security officers, or any officer or agent of a federal law enforcement or investigative agency who is required to carry a firearm while in the discharge of their official duties.


W. C. WRIGHT, Sr.

Distribution:

NAVPHIBASELCREEK/REGPUBSAFETYINST 5216.2P

List IA, IB (1, 1A, 2, 2A, 3, 3A only), IC, ID - Case A

List II

List III

Stocked by:

Commanding Officer

Naval Amphibious Base Little Creek

2600 Tarawa Court Suite 100

Norfolk, Virginia 23521-3297.

SAFETY GUIDELINES

1. Military personnel desiring to transport or store personal firearms on NAVPHIBASE LCREEK may be authorized under the following restrictions:

a. Written authorization must be obtained from the NAVPHIBASE LCREEK Security Officer prior to the introduction of a firearm into NAVPHIBASE LCREEK or any of its family housing areas.

b. Firearms will be transported only within the designated limits specified and, if authorized, only to authorized small arms ranges or training areas within NAVPHIBASE LCREEK.

c. Firearms will not be removed from the transporting vehicle except for use at an authorized area or for storage at the Consolidated Base Armory or Ship's Armory.

d. Personnel will have in their possession a valid registration form (enclosure (2)) for the specified firearm when:

(1) Transporting the firearm within the limits of NAVPHIBASE LCREEK or its family housing areas.

(2) Storing the firearm within the limits of NAVPHIBASE LCREEK or its family housing areas.

e. All firearms transported on NAVPHIBASE LCREEK or its family housing areas will be unloaded and must comply with all federal and Virginia State Laws regulating the transportation of firearms. Ammunition may be transported with the firearm(s) but separate and in a secure manner.

f. All weapons will be transported in a secure manner (i.e., trunk of vehicle/or in a locked box if transported in the passenger compartment).

g. Below are the recommended firearm safety precautions when firearms are stored in housing.

(1) Firearms should be unloaded.

(2) Attach approved safety/trigger locks to all weapons stored within the home.

(3) Weapons should be stored in locations not accessible to anyone under 18 years of age and persons lacking appropriate firearm safety training.

(4) Double-check all weapons prior to handling to ensure that they are unloaded.

NAVPHIBASELCREEKINST 8370.1G

h. This is not a permit or authorization to carry or possess firearms inside or outside NAVPHIBASE LCREEK or its family housing.

Signature_____ /Date_____

27 May 99

DATE MOVING INTO QUARTERS: _____

DATE OF APPLICATION: _____

NAVPHIBASE LCREEK FIREARM DECLARATION REGISTRATION FORM

1. The below listed individual is authorized to transport described firearm(s) within the limits prescribed in NAVPHIBASELCREEKINST 8370.1 (Series).

Name: Last First Middle SSN Rank/Rate

Local Address (include city/state/zip code) Phone Number

Duty Station Phone Number

2. Privacy Act Statement: Information requested above is solicited under the authority of 5 USC 301, Departmental Regulations and NAVPHIBASELCREEKINST 8370.1 (Series). Information obtained is used for law enforcement and record purposes only. Its distribution is limited to Official Use Only. Disclosure is mandatory for all housing applicants and for firearm registration. Failure to comply can result in termination of government quarters occupancy, administrative procedures, or court-martial.

3. All housing applicants are required to complete the following by placing an "X" in applicable space.

a. _____ I HAVE NO FIREARMS IN MY GOVERNMENT QUARTERS.

b. _____ I HAVE FIREARMS IN MY GOVERNMENT QUARTERS AS IDENTIFIED BELOW:

MAKE	MODEL	CALIBER	SERIAL NUMBER	IDENTIFIABLE MARKINGS

4. Written authorization must be obtained from the NAVPHIBASE LCREEK Security Officer prior to the introduction of a firearm into NAVPHIBASE LCREEK or any of its family housing units.

5. My signature indicates I have registered all firearm(s) currently owned, and will register any and all firearm(s) I may obtain in the future with NAVPHIBASE LCREEK Security Officer. Failure to register these firearms as outlined could subject me to disciplinary/administrative action.

Signature

Date

Signature of Division Officer/Dept Head (Requester's Command)

Date

Signature of Housing Representative for Resident

Date

Signature of Security Officer

Date

Distribution:

Original - NAVPHIBASE LCREEK Security Department

Copy to:

Precinct Commander, NAVPHIBASE LCREEK

Service Member/Requestor

Service Member's Command

Housing Director

Enclosure (2)

27 May 99

QUALIFICATION TO POSSESS FIREARMS OR AMMUNITION

PRIVACY ACT STATEMENT

THORITY: 18 U.S.C. 922(g)(9)

PRINCIPAL PURPOSE(S): To obtain information for purposes of determining if you have been convicted of a misdemeanor crime of domestic violence which would disqualify you from shipping, transporting, possessing or receiving either Government-issued or private firearms or ammunition and to determine if reassignment, reclassification, or other administrative action is warranted.

ROUTINE USE(S): To the Department of Justice so that such information can be included in the National Instant Criminal Background Check system which may be used by firearm licensees (importers, manufacturers or dealers) to determine whether individuals are disqualified from receiving or possessing a firearm.

DISCLOSURE: Voluntary. However, failure to provide the information may result in the revocation of your authority to transfer, possess, or receive firearms or ammunition and possible adverse administrative action to preclude access to and use of firearms and ammunition. The furnishing of false information also may result in possible criminal or administrative proceedings and sanctions.

SECTION 1 – MEMORANDUM TO ALL SERVICE MEMBERS AUTHORIZED TO POSSESS GOVERNMENT-ISSUED FIREARMS AND AMMUNITION

An amendment to the Gun Control Act of 1968 (18 U.S.C. 922) makes it a felony for anyone who has been convicted of a misdemeanor crime of domestic violence to ship, transport, possess, or receive firearms or ammunition. It is also a felony for any person to sell or otherwise dispose of a firearm to any person so convicted. The law pertains to anyone who has ever been convicted of a domestic violence misdemeanor. There is no exemption for military personnel of law enforcement officers and agents.

Convictions of "misdemeanor crimes of domestic violence" as defined in the amendment do not include summary court-martial convictions, the imposition of nonjudicial punishment (Article 15, UCMJ), or deferred prosecutions (or similar alternative dispositions) in civilian courts. The law also excludes anyone whose conviction has been expunged or set aside, or who has received a pardon. A misdemeanor crime of domestic violence is any offense which has, as its factual basis, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by the victim's current or former domestic partner, parent, or guardian.

If you have ever been convicted of a misdemeanor crime of domestic violence within the meaning of the law, continued retention of any firearm or ammunition, whether Government-issued or privately owned, may subject you to felony criminal penalties including a sentence of imprisonment of up to ten years and a fine of up to \$250,000, as well as administrative action.

If you have ever received a qualifying domestic violence misdemeanor conviction: (1) you may not possess any firearm or ammunition; and (2) you must return any Government-issued firearm or ammunition to your commander or immediate supervisor. Furthermore, any previously issued authorization to possess a firearm or ammunition is revoked.

Complete the qualification inquiry below and return to your commander or immediate supervisor within ten (10) working days of receipt. If you have any questions, you may contact your immediate supervisor, a legal assistance attorney, or a private attorney.

SECTION II – ELEMENTS OF MISDEMEANOR CONVICTION OF DOMESTIC VIOLENCE

A person shall not be considered as having committed a "misdemeanor crime of domestic violence" for purposes of the firearms restriction recently added to the Gun Control Act unless all of the following elements are present:

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) the person was convicted of a misdemeanor crime; | (4) the convicted offender was represented by counsel, or knowingly and intelligently waived the right to counsel; |
| (2) the offense had as an element the use or attempted use of physical force, or threatened use of a deadly weapon; | (5) if entitled to have the case tried by jury, the case was actually tried by jury or the person knowingly and intelligently waived the right to have the case tried by jury; |
| (3) the convicted offender was at the time of the offense: <ul style="list-style-type: none"> (a) a current or former spouse, parent or guardian of the victim, (b) a person with whom the victim shared a child in common, (c) a person who was cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or (d) a person who was similarly situated to a spouse, parent, or guardian of the victim; | (6) the conviction has not been expunged or set aside, or the convicted offender has not been pardoned for the offense or had civil rights restored, unless the pardon, expungement, or restoration of civil rights provides that the person may not ship, transport, possess or receive firearms. |

SECTION III – QUALIFICATION INQUIRY (Complete and return to your commander or immediate supervisor within 10 days of receipt)

1. HAVE YOU EVER BEEN CONVICTED OF A MISDEMEANOR CRIME OF DOMESTIC VIOLENCE AS DESCRIBED ABOVE: (Initial and date)

YES NO I DON'T KNOW (Provide explanation on reverse)

2. IF YOU ANSWERED "YES" TO THE FIRST QUESTION, PROVIDE THE FOLLOWING INFORMATION WITH RESPECT TO THE CONVICTION:

a. COURT/JURISDICTION	b. DOCKET/CASE NUMBER
c. STATUE/CHARGE	d. DATE SENTENCED (YYYYMMDD)

3. CERTIFICATION. I hereby certify that, to the best of my information and belief, all of the information provided by me is true, correct, complete, and made in good faith. I understand that false or fraudulent information provided herein may be grounds for adverse action, up to and including removal, and is also criminally punishable under the Uniform Code of Military Justice or under federal law.

a. NAME (Last, First, Middle Initial)	b. TITLE
c. AGENCY/DUTY STATION	d. SIGNATURE
	e. DATE SIGNED (YYYYMMDD)